

PLANNING JUSTIFICATION REPORT

ZONING BY-LAW AMENDMENT

4700 Regional Road 47, Parrat Pit
Township of Uxbridge

Date:

July 14, 2021

Prepared for:

Sunrock Canada

Prepared by:

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Our File 1669H

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1 INTRODUCTION & PROPOSAL

MacNaughton Hermsen Britton Clarkson Limited (“MHBC Planning”) has been retained by Sunrock Canada (“Sunrock”) to provide land use planning services for the proposed addition of permitted uses in the Uxbridge Zoning By-Law. The subject lands are north of Coppin’s Corners, east of the hamlet of Goodwood, and Southwest of the Town of Uxbridge. The property is legally described as Part lot 19 Concession 4, Uxbridge Township (former township of Ontario) in the Regional Municipality of Durham. It is identified municipally as 4700 Durham Regional Road 47, and known as “The Parrat Pit.” (Figure 1).

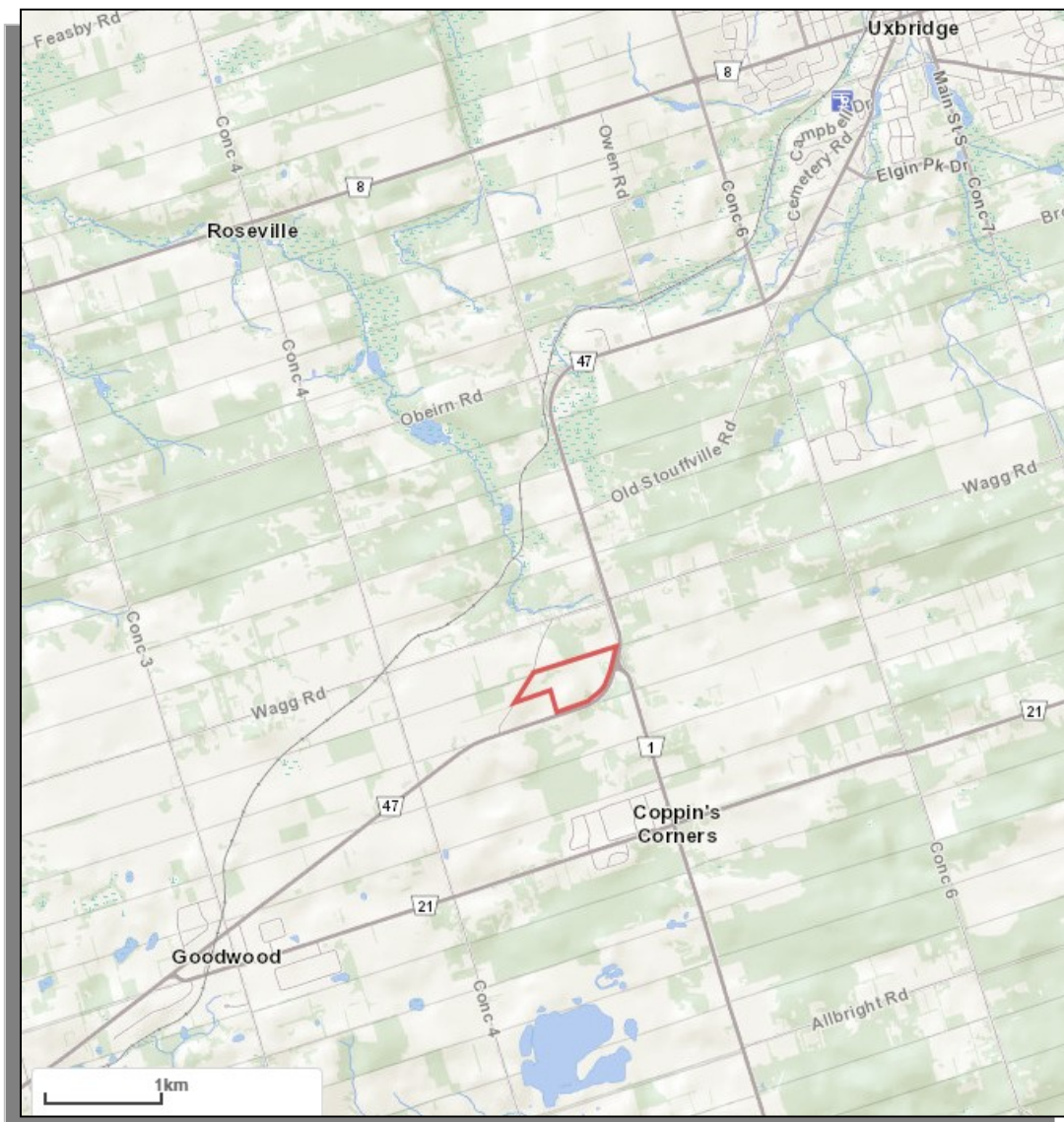


Figure 1: Subject Property Location (Red)

1.1 Sunrock Canada

Sunrock is a large family owned construction materials company originating from North Carolina. Recently, they have added operations in Ontario, and have opened a head office in Uxbridge. Sunrock leases the site from CRH Canada who recently purchased the property from Cedarhurst/Beamish. Sunrock's Ontario operation includes a Quarry in Burnt River, Ready Mix plants in the City of Kawartha Lakes and the Region of Durham, and the Parrat pit.

1.2 Subject Site and Surrounding Land Uses

The site is currently an operational pit with an active Class A licence, and is located on Part lot 19 Concession 4, in the Township of Uxbridge. The licence (No.6599) allows for extraction of up to 200,000 tonnes annually. Portable crushing and screening plants are permitted on the pit floor, along with product stockpiles up to a maximum height of 20 metres. Importation and transfer of aggregate is permitted but only when it is used solely for the purpose of blending with onsite material for resale.

The following is a description of the surrounding land uses (Figure 2).

- NORTH:** A mix of extractive industrial (SASE Aggregates), natural areas, rural residential, agricultural, and agricultural related uses exist to the north of the subject lands. A small woodlot lies between the subject lands and Wagg Road to the north. Several rural residential properties run along the north and south sides of Wagg Road. To the Northwest of the subject lands is SASE aggregates active aggregate operation.
- EAST:** East of the subject lands is Durham Regional Road 47. Directly to the East of Regional Road 47 is Hockley's licensed pit, where Sunrock operates a Ready Mix plant. Other uses surrounding that operation are agricultural and rural residential.
- SOUTH:** Immediately south of the operation is Durham Regional Road 47, and beyond that, the Wyndance Golf Course. There is one plantation that is to the south of the subject lands, between Regional Road 47 and Brock Road.
- WEST:** West of the Subject Lands is Old Highway 47. Several rural residential lots are located along Old Highway 47. A plantation is located directly to the west of the subject lands, to the east of Old Highway 47.

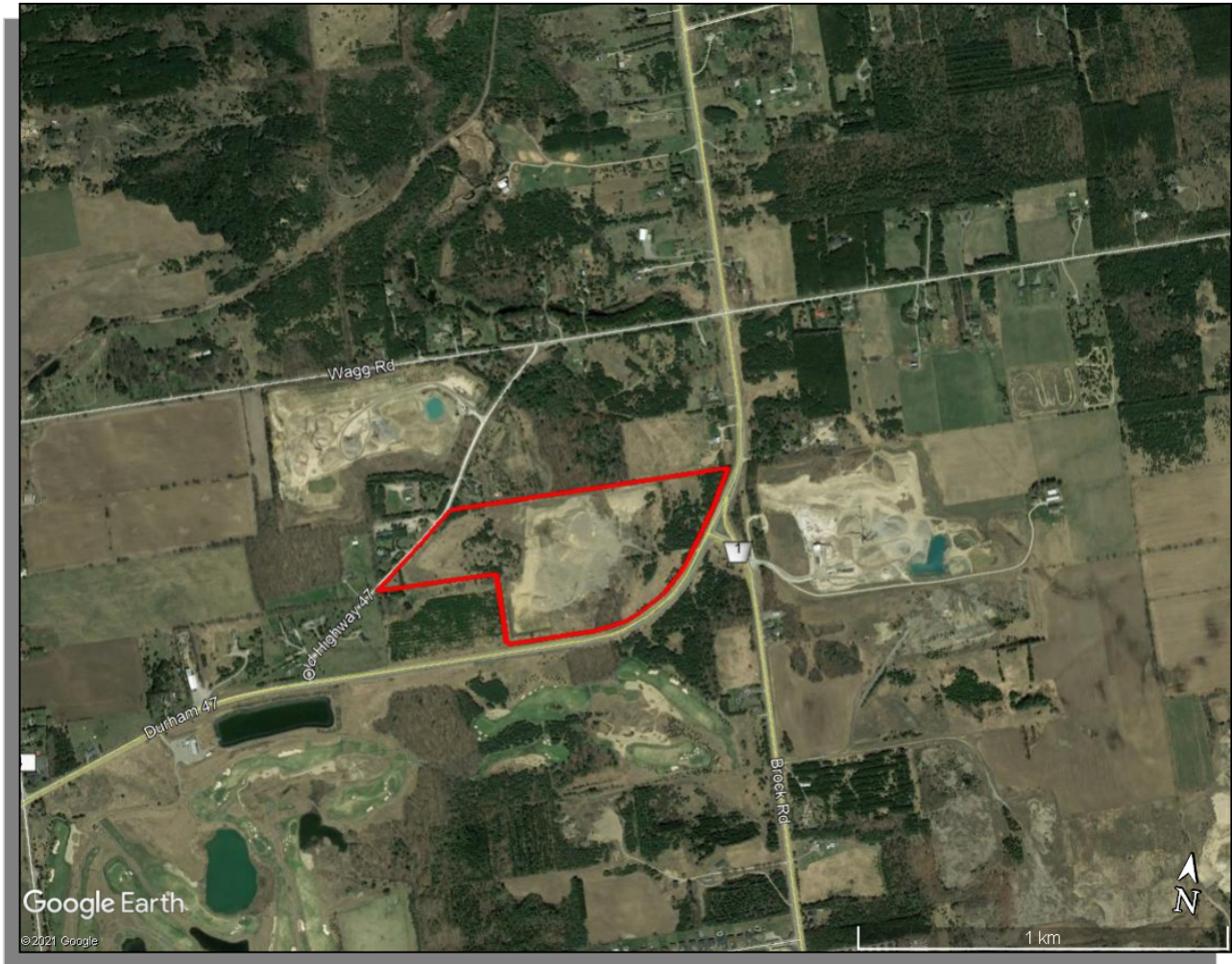


Figure 2: Aerial Image of Surrounding Land Uses (Subject Property in Red)

1.3 Project Description

As part of their operations at this location, Sunrock would like to undertake additional storage, processing and resale of imported crushed quarry stone and recycled concrete on the property. In allowing the storage of product on the site, the pit will act as a small aggregate transfer station associated with its primary use. Material that is brought into the site will be stored in pit floor stockpiles identified on the Site Plan. Processing (additional crushing for the recycled materials and blending for both products) will use the same portable processing plant that is allowed onsite for the current operations. Once the aggregate resources on site are depleted, no further importation of materials would be permitted, and operations will cease with final rehabilitation.

Allowing the processing and storage of imported aggregate will aid Sunrock's ability to provide high quality aggregates to the Greater Toronto Area (GTA), by providing them with a location to

temporarily store materials from their Burnt River location. This will allow them to more easily provide high quality material close to market.

The specific uses proposed by Sunrock are as follows: Associated uses to the pit including an aggregate transfer station, and importation of aggregate and concrete for recycling and resale.

1.4 Pre-Consultation

A pre-consultation meeting was held via Microsoft Teams video conferencing on June 4th, 2021. The following agencies were represented at the pre-consultation meeting:

- Mayor and members of Council
- Township of Uxbridge Planning
- Region of Durham Planning
- LSRCA
- Township of Uxbridge Building Department
- Sunrock
- MHBC Planning

A record of the pre-consultation meeting and minutes are included as Appendix A of this report.

1.5 Required Applications

Sunrock proposes to apply for a site specific zoning bylaw amendment (ZBLA) that would clearly and specifically permit the proposed uses for the subject site. This proposal is based on presubmission consultation where the Township indicated a preference that the proposed uses be clarified and confirmed through a site specific zoning application. The uses Sunrock proposes are better described as “associated” or “related” uses that typically occur in active sand and gravel pits in this area.

Sunrock is also required to apply to MNRF for a site plan amendment to specifically allow these uses. It is expected that this will be processed as a “minor” site plan amendment, if the Township accepts this ZBLA.

2 TECHNICAL CONSIDERATIONS

2.1 Traffic

The addition of the proposed uses to the current active operation will not have an impact on traffic. The amount of aggregate that is brought into the Parrat Pit to be recycled or resold will count towards the license’s annual tonnage limit (200,000 tonnes). This limits the amount of traffic to what is already currently permitted.

Additionally, the trucks that are importing crushed stone from the north will normally backhaul sand products from this pit to Sunrock plants in the north. The use of this site for aggregate transfer will replace some of the traffic that is presently going to/from another Sunrock operation in the immediate area. The quantities of materials to be imported and handled annually are generally small (20,000 tonnes of crushed stone and 10,000 tonnes of recycled concrete).

2.2 Noise

The site is currently regulated under the *Aggregate Resources Act (ARA)* and as such is required to operate in accordance with approved site plans. The site plans include berm requirements that limit the noise impacts of the operation. The site plan indicates that berms are typical minimum 3.0 meter berms, and are located at various edges of the limit of extraction. The operational site plans also dictate where portable crushing equipment may operate.

As discussed previously, there are no proposed changes to the annual tonnage limits at the pit, or changes to the locations of where portable crushing equipment is permitted and berms are required. Because the imported aggregate to be recycled counts towards annual tonnage limits, this means that no additional crushing will occur that is not already permitted, and as such no increases in noise impact are expected.

2.3 Natural Heritage

Two small patches of Key Natural Heritage Features, as mapped on Schedule B of the Regional Official Plan, are located on the property (Figure 3). The patches consist primarily of Coniferous and Deciduous vegetation.

No changes to the limit of extraction is proposed. These vegetation patches are within the approved limit of extraction.

2.4 Visual Impacts

The operational site plan requires 3.0 metre berms that screen the pit's operations. Vegetation surrounding the site provides additional visual screening from Regional Road 47. Imported aggregate products will be stored in small stockpiles on the pit floor. There is no proposed changes to the locations of visual berms and thus there is no change in visual impacts expected as a result of the proposed uses.

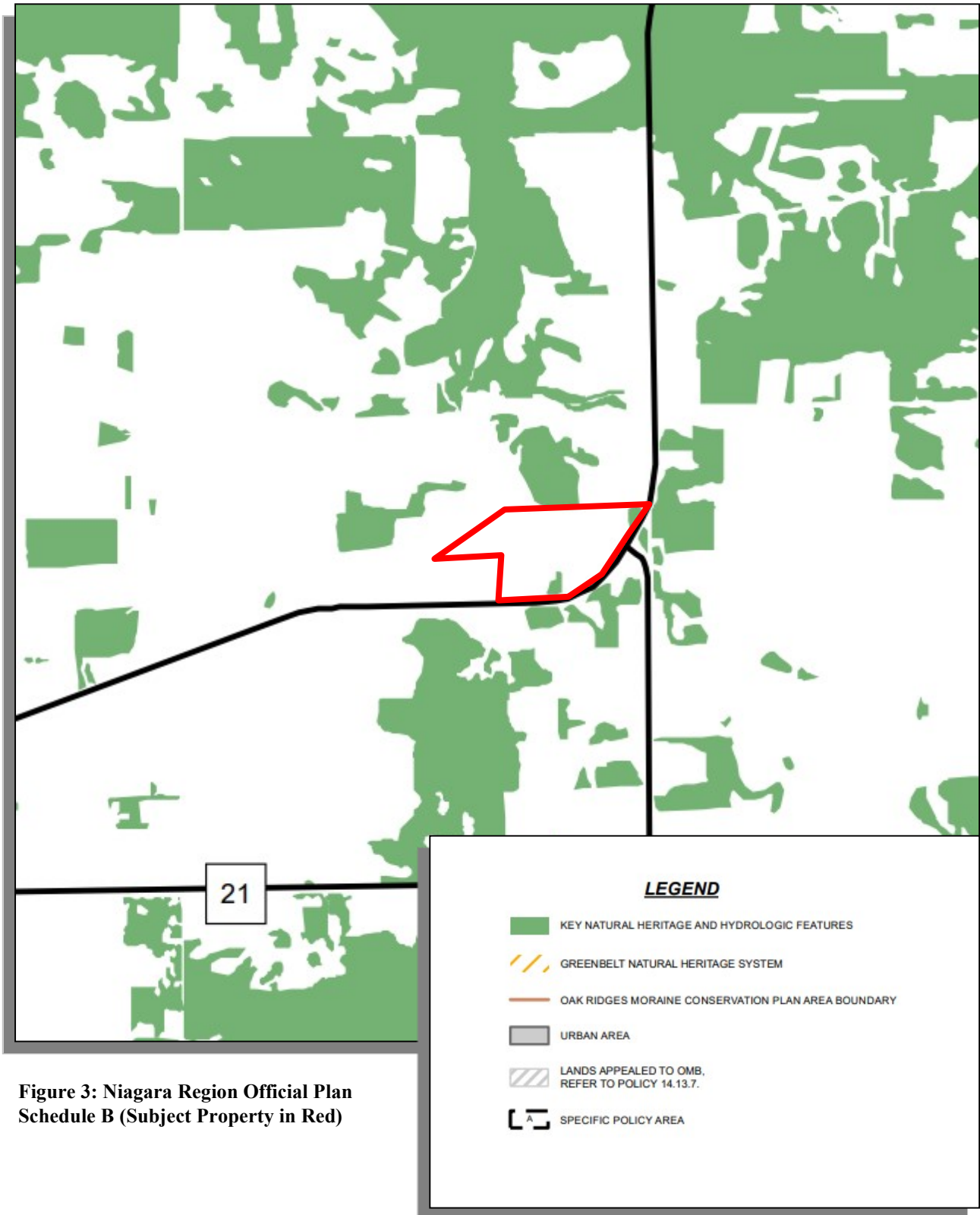


Figure 3: Niagara Region Official Plan Schedule B (Subject Property in Red)

3 PLANNING ANALYSIS

The following is an assessment of the proposed permitted uses relative to the policies and provisions of the following documents:

- Provincial Policy Statement (2020);
- Oak Ridges Moraine Conservation Plan (2017),
- A Place to Grow: Growth Plan for the Greater Golden Horseshoe (August 2020);
- Durham Region Official Plan (Office Consolidation May 26, 2020)
- Township of Uxbridge Official Plan (Office Consolidation January 2014)
- Township of Uxbridge Zoning By-Law 81-19 (Consolidated July 2020)

3.1 Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) is issued under section 3 of the *Planning Act*, and any decisions affecting planning matters “shall be consistent with” policy statements issued under the Act.

The PPS 2020 provides policy direction on matters of provincial interest related to land use planning and development, and sets the policy foundation for regulating the use of land. The PPS provides for appropriate development while protecting resources of Provincial interest, maintaining public health and safety, and protecting the quality of the natural and built environment.

The PPS recognizes the importance of the Province’s natural heritage resources, water resources, agricultural resources, mineral resources, and cultural heritage and archaeological resources as they provide important economic, environmental, and social benefits. The wise use and management of these resources over the long term is a key Provincial Interest, as stated in the PPS.

The PPS defines Mineral Aggregate Operations as lands under licence or permit under the ARA, and “associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate resources and derived products such as asphalt and concrete, or the production of secondary related products.” The proposed uses would be considered part of the processing and recycling of mineral aggregate resources, and would be associated in the transport of mineral aggregate resources. These uses are consistent with the PPS’s definition of a mineral aggregate operation.

The PPS also states that mineral aggregate resources shall be protected for long-term use, and as much of the mineral aggregate resources as is realistically possible shall be made available as close to markets as possible. Adding the proposed uses to the Parrat Pit would contribute to the amount and quality of aggregate that is made available close to the GTA markets.

The PPS directs that “Mineral aggregate resource conservation shall be undertaken, including through the use of accessory aggregate recycling facilities within operations, wherever feasible.” (2.5.2.3). The proposed uses would allow Sunrock to recycle concrete on the site in accordance with this policy.

There are no proposed changes to the rehabilitation plans for the pit. The rehabilitation plan has been approved under the ARA.

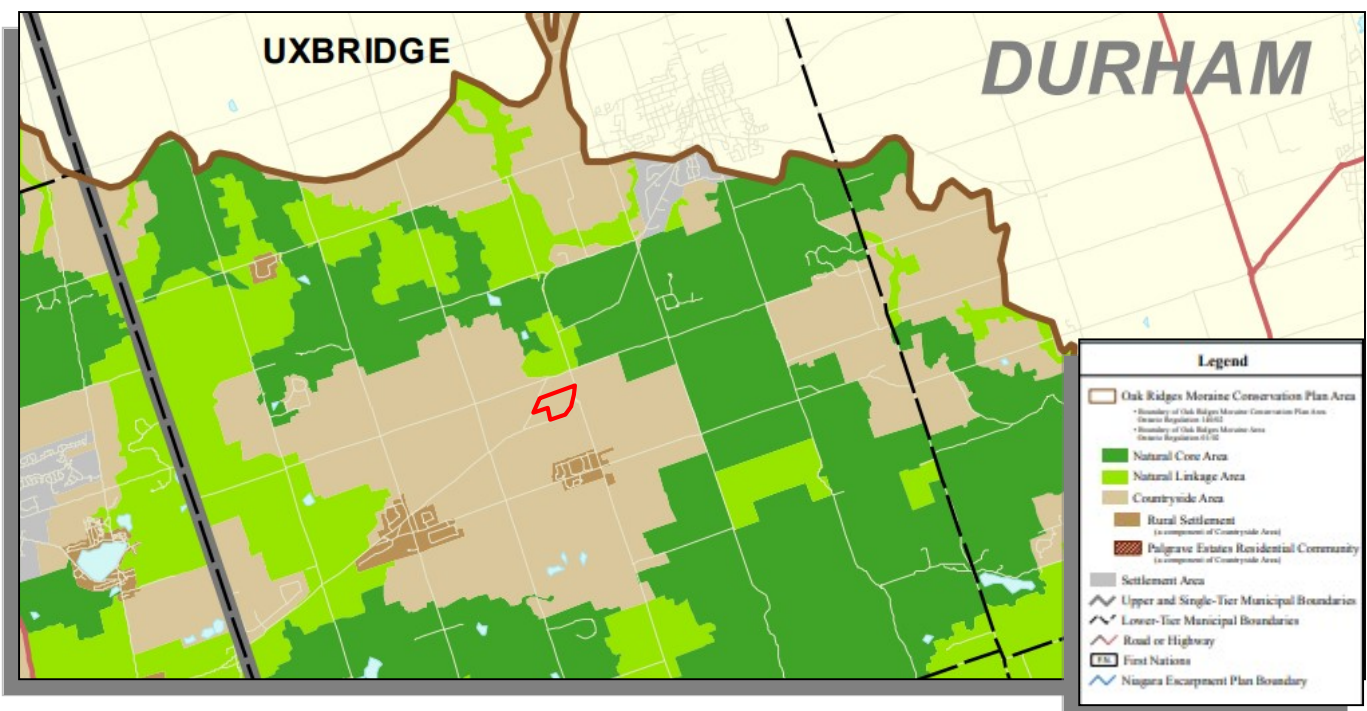
In conclusion, the proposed uses are consistent with the definitions and policies of the Provincial Policy Statement (2020).

3.2 Oak Ridges Moraine Conservation Plan (2017)

Established under the Oak Ridges Moraine Conservation Act (2001), The Oak Ridges Moraine Conservation Plan (ORMCP) is an ecologically based plan that provides land use and resource management direction for land and water within the Moraine. It provides land use and resource management planning direction to Provincial Ministers, ministries and agencies, municipalities, landowners, and other stakeholders on how to protect the Moraine’s ecological and hydrological features and functions. Providing for land and resource uses and development that is compatible with the policies of the Plan is one of the Plan’s objectives (e).

The Parrat Pit is located in the “Countryside Area” designation of the ORMCP (Figure 4). “Countryside Areas” consist of land uses such as agriculture, recreation, residential development, rural settlements, mineral aggregate operations, parks, and open space (10.1.3). “Countryside Areas” have the objective

Figure 4: Oak Ridges Moraine Conservation Plan Land Use Designation Map (Subject Property in Red)



of providing for economic development that is compatible with other objectives of the area.

The ORMCP defines Mineral Aggregate Operations similarly to the PPS, as a licensed operation under the ARA, and includes “associated facilities used in the extraction of mineral aggregate, the transport, beneficiation, processing or recycling of mineral aggregate and derived products such as asphalt and concrete or the production of secondary related products.”

The application is not for a new or expanding pit or quarry, and thus the policies pertaining to approval do not apply (35). The application is solely to add permitted uses to an existing pit.

The proposed uses are thus in conformity to the definitions and policies of the Oak Ridges Moraine Conservation Plan.

3.3 A Place to Grow: Growth Plan for the Greater Golden Horseshoe (August, 2020)

The Parrat Pit is located within the Greater Golden Horseshoe (GGH) Growth Plan (“Growth Plan”) area. The Growth Plan is the Province’s initiative to plan for growth and development in the GGH while promoting economic prosperity, protection of the environment, and quality of life.

The Growth Plan, along with the Oak Ridges Moraine Conservation Plan, the Greenbelt Plan, and the Niagara Escarpment Plan, builds on the PPS to establish a land use planning framework for the GGH that addresses the challenges of growth in the GGH while ensuring the protection and effective use of finite resources. The proposed Zoning By-Law Amendment for the Parrat Pit is required to conform to the Growth Plan.

Section 4 of the Growth Plan sets out the context and policies for protecting what is valuable in the region. According to the Plan, the GGH contains a broad array of important hydrologic and natural features and areas, a diverse and vibrant agricultural land base, irreplaceable cultural heritage resources, and valuable renewable and non-renewable resources. The Growth Plan states that these assets must be wisely protected and managed as part of planning for future growth.

The Growth Plan recognizes the importance of protecting and managing the GGH’s mineral aggregate resources, and states that the GGH contains significant deposits of mineral aggregate resources, which require long term management, including aggregate reuse and recycling. It recognizes that it works within the ARA framework to provide guidance on where and how aggregate resource extraction can occur.

The Growth Plan also identifies the importance of ensuring mineral aggregate resources are available in close proximity to demand. This supports the timely provision of infrastructure, and reduces the transportation –related GHG emissions. The Parrat Pit is within 40km of the following areas designated for future growth in the Growth Plan Area.

- Oshawa

- Pickering
- Scarborough
- Markham
- Newmarket
- North York
- Richmond Hill
- Vaughan

The proposed Zoning By-Law Amendment is not establishing a new or expanding pit or quarry. There are no proposed changes to the license boundary, limits of extraction, or rehabilitation plans as already approved under the ARA and permitted in Growth Plan policy.

The Growth Plan defines mineral aggregate operations similarly to the ORMCP and the PPS, as a licensed operation under the ARA, and includes “associated facilities used in the extraction of mineral aggregate, the transport, beneficiation, processing or recycling of mineral aggregate and derived products such as asphalt and concrete or the production of secondary related products.”

The Parrat Pit is licensed under the ARA, and the proposed uses fall within the associated facilities used for transport, beneficiation, processing and recycling of mineral aggregate resources and derived products (concrete).

In conclusion, the proposed permitted uses would be in conformity with the Growth Plan policies and definitions.

3.4 Region of Durham Official Plan (Office Consolidation May 26, 2020)

The Durham Region Official Plan (ROP) provides guidance for growth and development within the Regional Municipality of Durham (The Region). The Official Plan was adopted by Council in 1991, and approved by the Minister of Municipal Affairs and Housing in 1993. It was most recently consolidated on May 26, 2020. The purpose of the plan is to provide policies and development that ensures improved quality of life, health, safety and convenience of the present and future residents of the Region. The Plan includes several goals, including to manage the resources in the Region in an orderly, efficient and responsible manner.

The Parrat Pit is designated as “resource extraction area” number 7 in Schedule A of the ROP (Figure 5). It is located within the “Oak Ridges Moraine Area” designation, which adopts the policies of the ORMCP. As discussed previously, the proposed uses conform to the policies and definitions of the ORMCP.

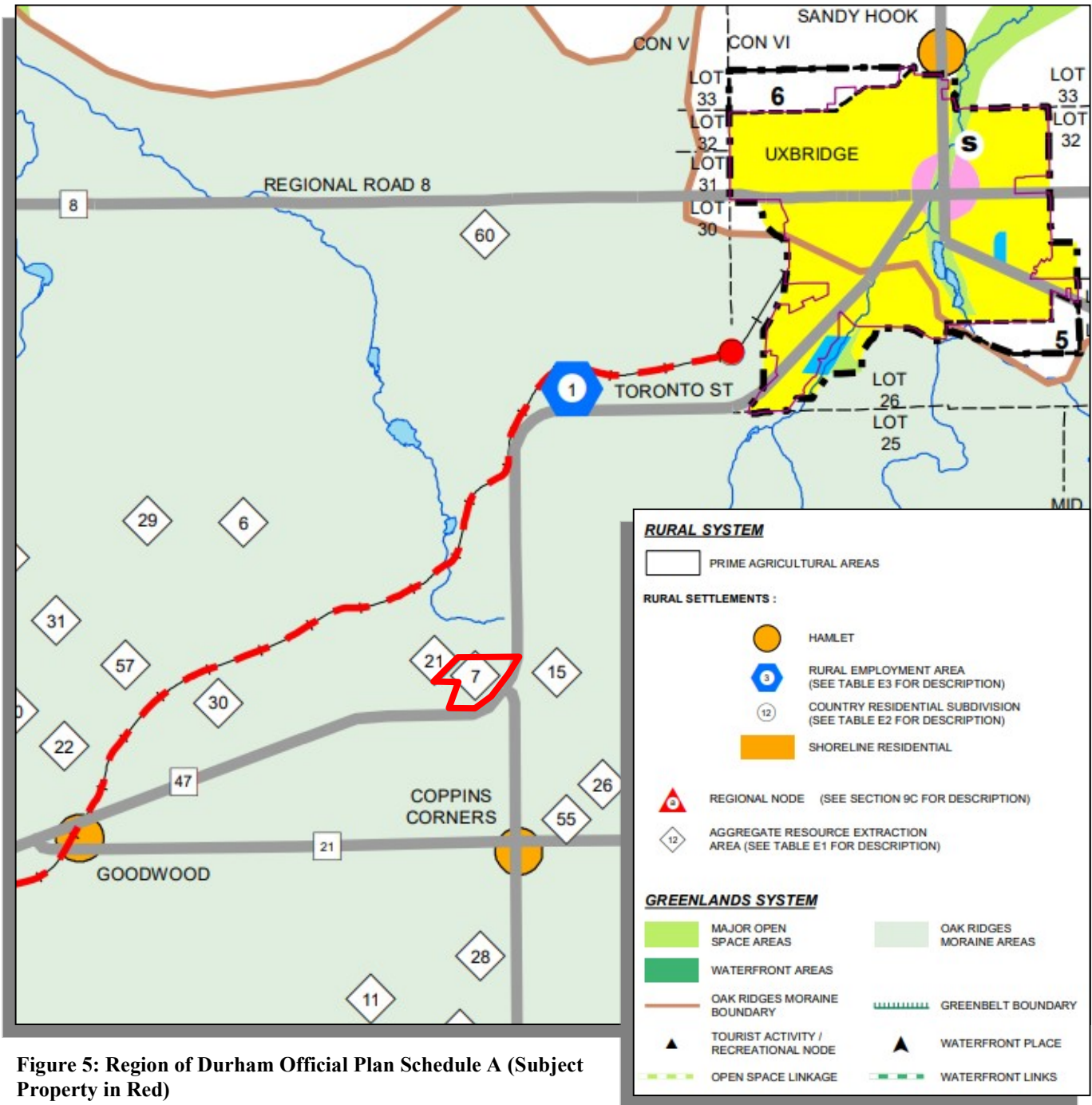


Figure 5: Region of Durham Official Plan Schedule A (Subject Property in Red)

Policy 9.D.2.1 of the Regional Official Plan states that Mineral Aggregate Operations within Aggregate Resource Extraction Areas shall include the extraction of gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock other than metallic ores, and other accessory uses related thereto. Additionally, Policy 9.D.2.6 states that aggregate-related industrial

uses, such as asphalt plants, ready-mix concrete plants and aggregate transfer stations, shall be permitted in Employment Areas and active licenced Aggregate Resource Extraction Areas, or by amendment to this Plan.

The ROP defines Mineral Aggregate Operations in conformity to Provincial Policy and Plans, as operations licensed under the ARA, and “associated facilities used in the extraction, transportation, beneficiation, processing or recycling of mineral aggregate or the production of related by-products.

The proposed uses to be added to the Zoning By-Law are associated uses as described in the ROP’s definition of mineral aggregate operation, and are related to the mineral aggregate operation as described in Policy 9.D.2.1. Aggregate related industrial uses are expressly permitted under Policy 9.D.2.6, which would include the uses proposed for the Parrat Pit.

In conclusion, the proposed uses are in conformity with the Region of Durham Official Plan’s policies and definitions. No Regional Official Plan amendment is required.

3.5 Uxbridge Township Official Plan (Office Consolidation January 2014)

The Township of Uxbridge (The Township) Official Plan sets the vision, goals, and objectives for development within the Township. The Official Plan states that supporting the Aggregate industry is one objective intended to reach the goal of ensuring the health of the Township’s local economy (2.1). The Township Official Plan provides planning policies to meet those objectives pursuant to section 16.1 of the Planning Act 1990. The Township Official Plan was originally approved by the Ministry of Municipal Affairs and Housing in July of 1970. The most recent office consolidation occurred in January of 2014.

The Parrat Pit is located within a “Policy 1.9.9.1 Approved Mineral Aggregate Extraction Area” on schedule H of the Official Plan (Figure 6). The Official Plan states that the property may be zoned “to recognize the use as approved in accordance with the Durham Regional Official Plan and the related license or permit.” (1.9.9.1).

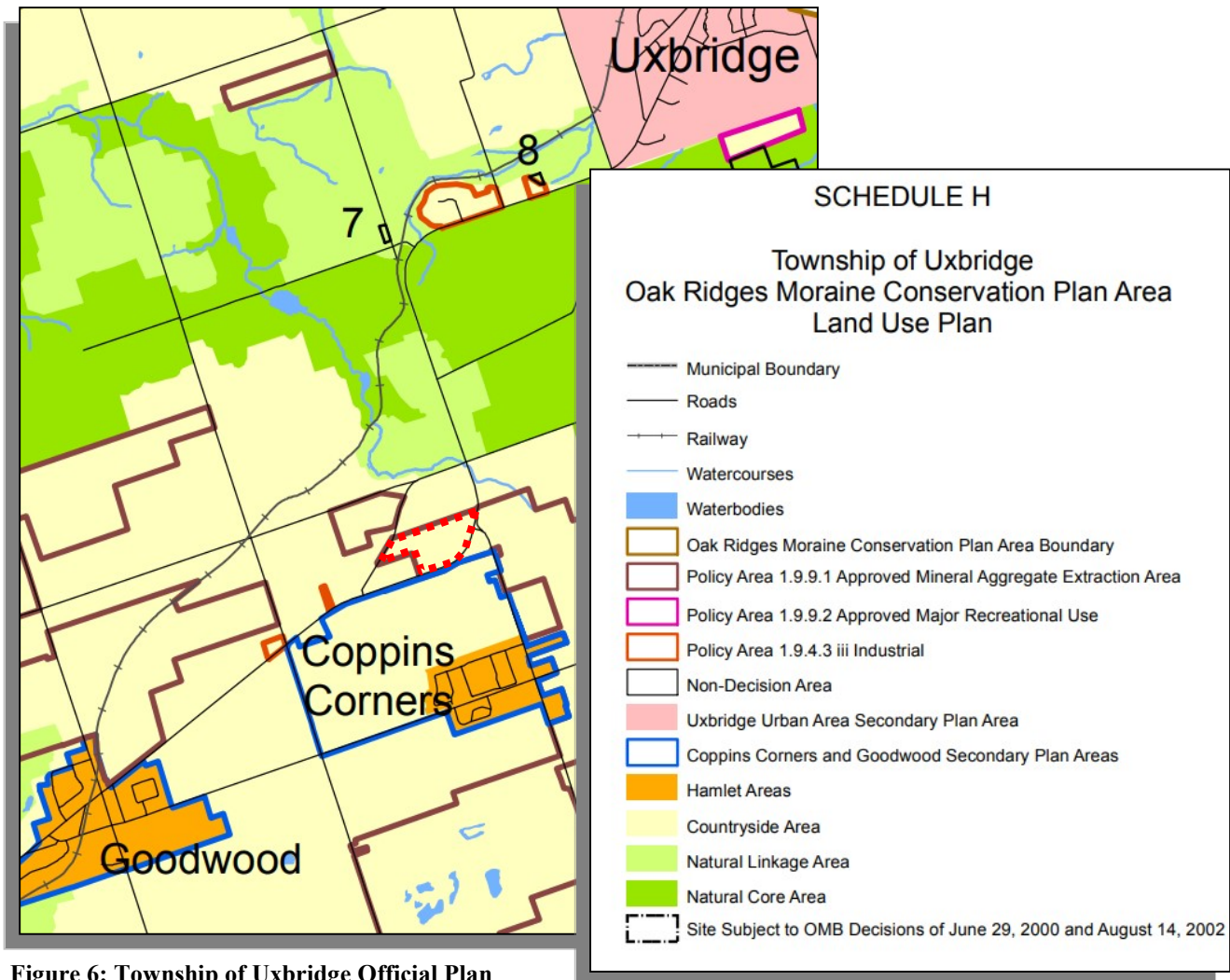


Figure 6: Township of Uxbridge Official Plan Schedule H (Subject Property in Red Dashed)

As discussed previously, the proposed uses conform to the policies and definitions of the Region of Durham Official Plan. As the Township Official Plan policy refers back to the Regional Official Plan, this means that the proposed uses also conform to the policies of the Township Official Plan.

The Township Official Plan also adopts the definitions of the Oak Ridges Moraine Conservation Plan for lands within the Oak Ridges Moraine (2.1.6.8). As discussed previously, the proposed uses conform to the definitions of Mineral Aggregate Operation in the ORMCP.

In conclusion, the proposed uses conform to the policies and definitions of the Uxbridge Township Official Plan. No Official Plan Amendment is required to permit these uses.

3.6 Uxbridge Township Zoning By-Law 81-19 (Office Consolidated July 2020)

The Parrat pit is located within the Rural Resource Extraction (M3) Zone within the Township of Uxbridge Zoning By-Law (Figure 7). The M3 Zone permits the following uses:

b. Non-Residential Uses

- i. An Aggregate Storage Area*
- ii. Conservation, forestry and reforestation;*
- iii. A farm;*
- iv. A pit;*
- v. A portable processing plant; and*
- vi. A public use in accordance with the provisions of Section 5.18 hereof*

c. Accessory Uses

Uses, buildings and structures accessory to any of the foregoing listed permitted uses provided such are in accordance with the provisions of Section 5.1 hereof including a home occupation on a farm in accordance with the provisions of Section 5.10 hereof, and a home industry on a farm in accordance with section 5.30 hereof.

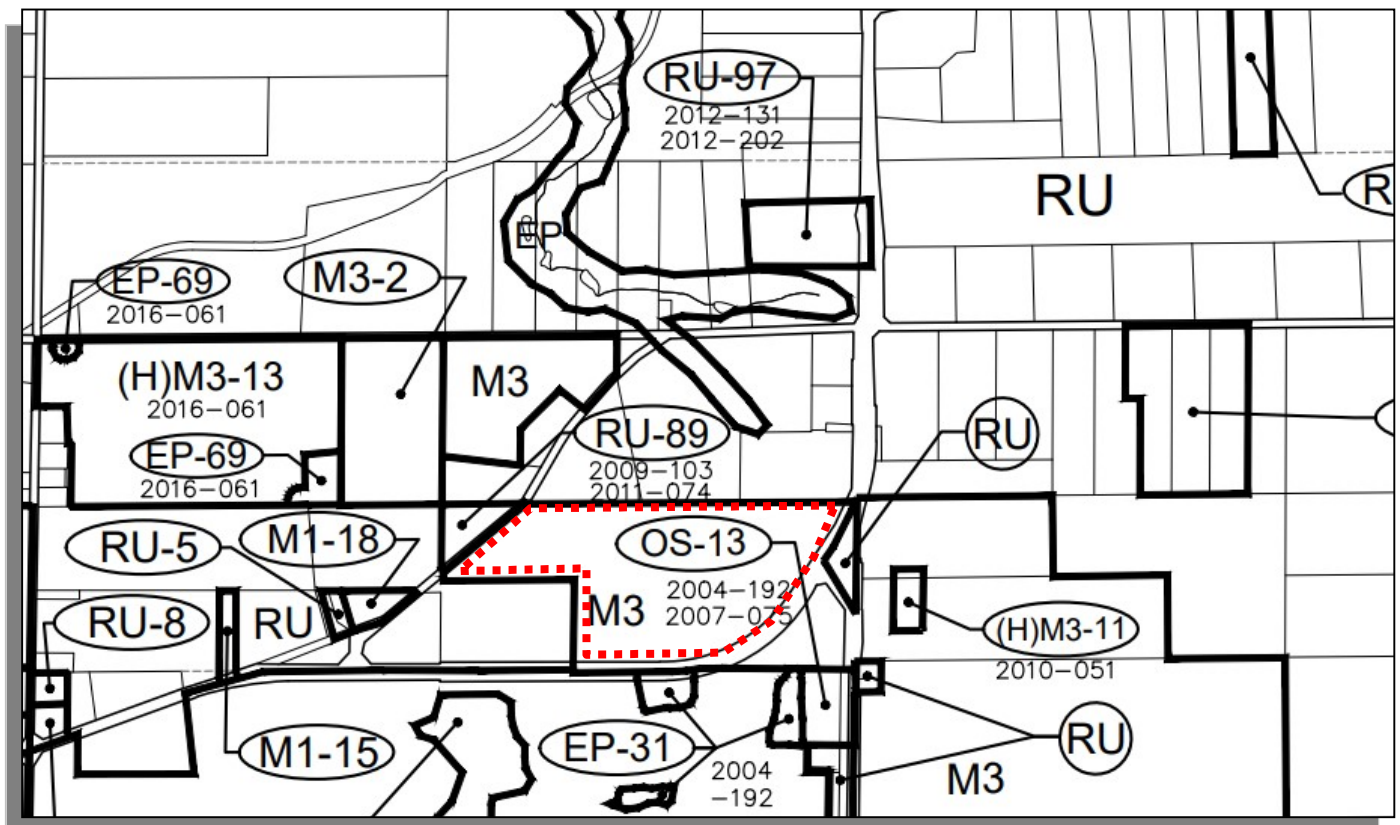


Figure 7: Uxbridge Township Zoning (Subject Property in Red Dashed)

An aggregate storage area is already permitted in the Zoning By-Law. The Zoning-Bylaw also permits accessory uses, which is defined as any uses or structures that are accessory to what is already permitted. While Sunrock's proposed uses could be interpreted as an accessory use, a Zoning By-Law Amendment is preferred by the Town to confirm and explicitly list the importation of aggregate and recycling of concrete as permitted uses on the site. The following uses are proposed to be added to the Parrat pit on a site specific basis:

Associated uses to the pit including an aggregate transfer station, and importation of aggregate and concrete for recycling and resale

4 CONCLUSIONS

Sunrock's proposal for a site specific zoning by-law to permit associated uses to the pit including an aggregate transfer station, and importation of aggregate and concrete for recycling and resale will allow Sunrock to continue to provide high quality aggregate material close to market. No increases in the annual tonnage limit is proposed, nor is there any proposal to alter the limit of extraction on the site. As demonstrated in this report, the proposal is:

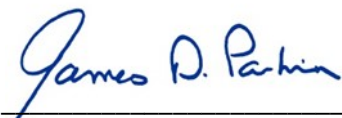
- Consistent with the Provincial Policy Statement 2020;
- Conforms to the Oak Ridges Moraine Conservation Plan 2017;
- Conforms to the Growth Plan 2020;
- Conforms to the Region of Durham Official Plan (Consolidated 2020), and;
- Conforms to the Township of Uxbridge Official Plan (Consolidated 2014)

There is an ongoing need for mineral aggregate resources in the Greater Golden Horseshoe. This proposal makes use of an existing mineral aggregate license and operation to provide additional resources close to market. This proposal helps to achieve the key provincial interest of ensuring the wise use and management of mineral aggregate resources, while also making as much mineral aggregate resource as is realistically possible available close to market.

It is concluded that the proposed uses are desirable, appropriate, and represents good planning.

Respectfully submitted by,

MHBC



James Parkin, BES, MCIP, RPP



Dawson McKenzie, BA

APPENDICES

Appendix A: Record of Pre-Consultation Meeting

July 8, 2021

Sunrock Canada

Re: Record of Pre-Consultation for Zoning by-law Amendment & Site Plan Application

Property Location: 4700 Highway 47
Municipality: Township of Uxbridge

The details of the meeting are as follows:

Pre-Consultation Date: June 4, 2021

Parties in Attendance: Proponents

Bill Kester
James Parkin
Dawson McKenzie

Township of Uxbridge Representatives:

Dave Barton, Mayor
Pam Beach, Ward Councillor
Gordon Highet, Regional Councillor
Liz Howson, Township Planner
Emilia Gruyters, Planning Technician
Brian Pigozzo, CBO

Region of Durham Representatives:

Lesley Kennedy, Public Health Inspector
David Perkins, Urban Planner

Description of Proposal:

The applicant is proposing additional storage, processing and resale of imported crushed quarry and recycled concrete. This will allow the site to act as an aggregate transfer station associated with the primary use.

Township of Uxbridge Zoning By-law Designation: Rural Resource Extraction (M3)

Is the proposal in conformity with the Township of Uxbridge Zoning

No. A zoning by-law amendment application is required. Please submit a complete application including the relevant studies and requirements. Please contact Jo Ann Merrick at 905 852-9181 extension 202, jmerrick@town.uxbridge.on.ca.

Township of Uxbridge Official Plan Designation: High Potential Aggregate Resources Area

Is the proposal in conformity with the Township Official Plan: Yes

Other Requirements:

Region of Durham Planning Department

There are natural Heritage features on the site that are to be addressed by Lake Simcoe Region Conservation Authority.

The owner needs to demonstrate the location of additional uses.

Clarification whether active licensed pit.

Region of Durham Health Department

There are no new buildings proposed. There is no information required unless there are changes.

Township of Uxbridge

Township of Uxbridge Mayor

His support is based on how development impacts the surrounding residence. He is recommending white noise back up alarms for the equipment and solutions such as tree cover and berms.

Township of Uxbridge Ward Councillor

She expressed concern about the safety of entrances and recommends larger signs.

Township of Uxbridge Planning Consultant

The land use proposed is permitted as an accessory use in the ZBA. A planning justification report is required.

Contact Information

1. Brian Pigozzo, Township of Uxbridge Chief Building Official

Telephone: 905 852-9181 ext. 214 **Email:** bpigozzo@uxbridge.ca

2. Emilia Gruyters, Township of Uxbridge Planning Technician

Telephone: 905 852-9181 ext. 212 **Email:** egruyters@uxbridge.ca

3. Laura Tafreshi, Toronto Region Conservation Planner
Telephone: 905-895-1281, ext. 299 | Cell: 416-294-6973 (*preferred*)
Email: Tafreshi@lsrca.on.ca

4. Elizabeth Howson, Township Planner
Telephone: 416 487-4101 ext. 307 **Email:** howson@mshplan.ca

5. Lesley Kennedy, Region of Durham Senior Public Health Inspector
Telephone: 905 985-4889 ext. 369 **Email:** Lesley.kennedy@durham.ca

6. Pam Beach, Ward Councillor
Telephone: 647 4673105 **Email:** pbeach@uxbridge.ca

7. Dave Barton, Mayor
Telephone: 416 819-4119 **Email:** dbarton@uxbridge.ca

8. David Perkins, Region of Durham Planner
Telephone: 905 668-7711 ext. 2571 **Email:** david.perkins@durham.ca

Emilia Gruyters
Planning Technician
Development Services

Encl: Township of Uxbridge Pre-consultation Form